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REMARKS:Status

Claims 42 to 51 are pending. All other claims have been canceled, including all claims that have been held to be directed to a non-elected group. Claim 42 is the sole independent claim.

New Claims

New claims 42 to 51 clearly fall within elected Group I in this case. In this regard, the original claim 1 in elected Group 1 recited the following:

1. A clip, comprising:
 - two plates;
 - a spacer that connects the plates and that holds the plates apart by a gap; and
 - at least one part of a hook-and-loop fastener attached to at least one of the plates opposite the other of the plates.

New claim 42 recites the following:

42. Clips and covering for a floor, deck or arena cover, comprising:
 - one or more of the clips, at least one of the clips further comprising two plates, a spacer that connects the plates and that holds the plates apart by a gap, and at least one part of a hook-and-loop fastener attached to at least one of the plates opposite the other of the plates, with the clips clipped to the floor, deck or arena cover; and
 - a sheet or tarp attached to the clips via each clip's hook-and-loop type fastener.

The difference between these two claims is shown below in "underline/strike through" form:

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42. Clips and covering for a floor, deck or arena cover ~~1. A clip,~~ comprising:
one or more of the clips, at least one of the clips further comprising
two plates, \div a spacer that connects the plates and that holds the plates
apart by a gap, \div and at least one part of a hook-and-loop fastener attached
to at least one of the plates opposite the other of the plates, with the clips
clipped to the floor, deck or arena cover; and
a sheet or tarp attached to the clips via each clip's hook-and-loop
type fastener.

Thus, the new claim includes the limitations of the claim 1 in elected Group 1, with additional limitations (i.e., more than one such clip is included, along with an actual sheet or tarp). Thus, claim 42 is narrower but within the scope of claim 1. In particular, it would be impossible to infringe new claim 42 without also infringing claim 1. The new claims are therefore within the scope of the elected group, and examination of claim 42 and its dependent claims is proper.

Art Rejections

The examined claims were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,672,621 (Moss) in view of U.S. Patent No. 6,663,158 (Showalter). Moss is directed to a holding device for a book or binder. Showalter is directed to a golf cart bracket. Nothing in either of these references suggests any benefit of combining a book or binder holder with a golf cart bracket or vice versa. Applicant respectfully submits that this combination is nothing more than hindsight applied in view of Applicant's own disclosure, which is not a proper basis for a § 103 obviousness rejection.

Furthermore, neither a book or binder holder nor a golf cart bracket is pertinent to such clips in conjunction with a sheet or tarp. Thus, these claims are believed to be allowable over the applied art. See, e.g., MPEP § 2141.01(a).

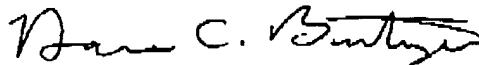
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Closing

The application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney can be reached at (614) 205-3241.

Respectfully submitted,



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